IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)
THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE K.C. BHANU**

**WRIT PETITION NO: 22717 of 2004**

Between:

K.G.V. Krishnaiah,

S/o. Venkataiah,
Sri Bhramaramba Mallikarjuna

Swamy Devasthanam, Srisailam,

Kurnool District.

**..... PETITIONER**

AND

1. The Principal Secretary to Government,

Revenue (Endts.)

Department, Secretariat Buildings,

Hyderabad.

2 The Commissioner of Endowments,

Andhra Pradesh,

Hyderabad.

3 The Executive Officer,

Sri Bhramaramba Mallikarjuna Swamy

Devasthanam,

Srisailam, Kurnool district.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not implementing proviso the sub section 3 of section 29 the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 as arbitrary, illegal and unreasonable and further declare the action of the respondents in promoting the employees of Endowments Department

as Regional Joint Commissioner and posting them as Executive Officers of the temples in the States as arbitrary, illegal and impermissible and pass such other order or orders.

**Counsel for the Petitioner: MR.N.BHARAT BABU**

**Counsel for the Respondents: GP FOR ENDOWMENTS**

**The Court at the admission stage, made the following:**

**THE HON'BLE MR JUSTICE K.C.BHANU**

**WRIT PETITION NO: 22717 of 2004**

**ORDER:**

This writ petition has been filed by the petitioner to declare the action of the respondents in not implementing the proviso to sub-section (3) of Section 29 of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for brevity 'the Act, 1987') as arbitrary and illegal.

2. The petitioner seems to have made a representation to the 1st respondent on 01-10-2004 for considering his promotion as Executive Officer in the cadre of Regional Joint Commissioner. The 1st respondent has to take appropriate decision in accordance with the provisions of the Act, 1987 and the Rules.

3 . Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Endowments.

4. On considering the submissions made by both the learned counsel for the petitioner and the learned Government Pleader for Endowments, a direction can be given to the respondents 1 and 2.

5. Therefore, the respondents 1 and 2 are directed to take appropriate decision in accordance with the Act, 1987 within four weeks from the date of receipt of a copy of this order. Till then, the status-quo obtaining as on today, shall be maintained.

6. Accordingly, the writ petition, with the said observation, is disposed of. Thee shall be no order as to costs.

December 9, 2004

KVR
TO

1. The Principal Secretary to Government,

Revenue (Endts.)

Department, Secretariat Buildings,

Hyderabad.

2 The Commissioner of Endowments,

Andhra Pradesh,

Hyderabad.

3 The Executive Officer,

Sri Bhramaramba Mallikarjuna Swamy

Devasthanam, Srisailam,

Kurnool District.

4. Two C.Cs. to G.P. for Endowments,

High Court buildings,

High Court of A.P.,

Hyderabad (O.U.T.)

5 Two C.D. Copies.